



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,545	01/18/2002	Yasuhiro Terashima	1684/44903DV	7871
23911	7590	09/12/2005	EXAMINER	
CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300				JIMENEZ, MARC QUEMUEL
ART UNIT		PAPER NUMBER		
3726				

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>2<sup>nd</sup> Supplemental Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/050,545	TERASHIMA ET AL.
	Examiner  Marc Jimenez	Art Unit  3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS**. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to \_\_\_\_\_.
  2.  The allowed claim(s) is/are 10-12.
  3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a)  All    b)  Some\*    c)  None    of the:
      1.  Certified copies of the priority documents have been received.
      2.  Certified copies of the priority documents have been received in Application No. 09/355,282.
      3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
- Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**
4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
    - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
  6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

*Marc Jimenez*  
**MARC JIMENEZ**  
**PRIMARY EXAMINER**  
*9/8/05*

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

On page 6, the last full paragraph has been amended as follows:

To achieve the objectives outlined above, the present invention has been designed so as to comprise the means disclosed in [Claims 1 through 12] certain preferred embodiments of this application.

On page 15, the first full paragraph has been amended as follows:

Figure 1 shows the configuration of a heat-resistant assembly according to this invention, which is used to protect the boiler tubes in a waste-heat boiler. This is a first preferred embodiment of the invention [, which corresponds to Claims 1 through 6] of this application. The drawing is a cross section of the heat-resistant assembly for protecting the tubes in the combustor of the boiler, taken perpendicular to the axes of the tubes.

On page 15, the third full paragraph has been amended as follows:

Figure 3 shows the configuration of a heat-resistant assembly according to this invention, which is used to protect the boiler tubes in a waste-heat boiler. This is a second preferred

embodiment of the invention [, which corresponds to Claims 1 through 6] of this application.

The drawing is a cross section corresponding to Figure 1.

On page 15, the fifth full paragraph has been amended as follows:

Figure 5 shows a preferred embodiment [corresponding to Claim 7] of this application.

This drawing corresponds to the cross section taken along line B-B in Figure 1.

On page 15, the seventh full paragraph has been amended as follows:

Figure 7 illustrates the use of the invention disclosed in [Claim 7 of] this application. It is a cross section corresponding to Figure 5.

On page 15, the ninth full paragraph has been amended as follows:

Figure 9 shows a preferred embodiment corresponding to [Claims 8 and 9 of] this application. This drawing corresponds to the cross section taken along line B-B in Figure 1.

On page 16, the second full paragraph has been amended as follows:

Figure 11 is a perspective drawing illustrating the use of the embodiment [corresponding to Claims 8 and 9] of this application.

On page 16, the third full paragraph has been amended as follows:

Figure 12 is a rear view illustrating the method of building the heat-resistant block which is a preferred embodiment [corresponding to Claims 10 through 12] of this application.

On page 16, the fourth full paragraph has been amended as follows:

Figure 13 shows the essential aspects of the method of constructing a heat-resistant assembly according to this invention for protecting the tubes in a waste-heat boiler. More specifically, it shows the essential aspects of removing the excess mortar used as an adhesive, which corresponds to the process of [Claim 9 of] this application. The arrows indicate the direction perpendicular to the axes of the tubes.

On page 16, the sixth full paragraph has been amended as follows:

Figure 15 shows a preferred embodiment [corresponding to Claims 11 through 12] of this application. It shows the same view as Figure 13.

On page 16, the eighth full paragraph has been amended as follows:

Figure 17 is a perspective drawing which illustrates the essential aspects of the method of building a heat-resistant assembly [which corresponds to Claims 10 through 12] of this application.

The paragraph bridging pages 16 and 17 has been amended as follows:

Figure 18 is a perspective drawing which illustrates the essential aspects of the finishing work in the preferred embodiment of the method of building a heat-resistant assembly [which corresponds to Claims 10 through 12] of this application.

On page 27, the last full paragraph has been amended as follows:

In particular, with the invention disclosed in [Claim 7 of] this application, if a high temperature is attained during operation, the fusible substance interposed between the arm and the indentation in the block will melt to create a gap to accommodate the thermal expansion of the arm. This prevents the mortar from being damaged by the arm and the mortar having different rates of thermal expansion.

On page 28, the first full paragraph has been amended as follows:

With the inventions disclosed in [Claims 10 through 12 of] this application, the process of introducing the mortar is divided into two steps: applying the mortar to the tube assembly, and applying the mortar to the block. Since the mortar is applied to an exposed space, the process does not require any particular skill, and the mortar can be finished to the prescribed thickness using a gauge such as a scraper.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc Jimenez whose telephone number is (571) 272-4530. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3726

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJ  
09/08/05

*Marc Jimenez*  
**MARC JIMENEZ**  
**PRIMARY EXAMINER**  
*9/8/05*